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OFFICE OF PETITIONS

ALAN H MACPHERSON
SKJERVEN MORRILL MACPHERSON
FRANKLIN & FRIEL
25 METRO DRIVE SUITE 700
SAN JOSE CA 95110-1349

In re Patent No. 5,970,020 :
Issue Date: October 19, 1999 :
Application No.: 09/154,664 : **NOTICE**
Filed: September 16, 1998 :
Attorney Docket No.: M-5961US :

This is a notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28(c), filed October 20, 2011.

On September 1, 1998, the Court of Appeals for the Federal Circuit held that 37 CFR 1.28(c) is the sole provision governing the time for correction of the erroneous payment of the issue fee as a small entity. See DH Technology v. Synergystex International, Inc. 154 F.3d 1333, 47 USPQ2d 1865 (Fed. Cir. Sept. 1, 1998).

The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. 1098 Off. Gaz. Pat. Office 502 (January 3, 1989). Therefore, nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission under 37 CFR 1.28 is hereby **ACCEPTED**. The change of status to a large entity has been entered and made of record.

This patent is no longer entitled to small entity status. Accordingly, all future fees paid in this patent must be paid at the large entity rate.

The file does not indicate a change of address has been submitted, although the address given on the petition differs from the address of record. If appropriate, a change of fee address (form PTO/SB/47) and a request for customer number (form PTO/SB/125) should be filed in accordance with Manual of Patent Examining Procedure, section 2540. A courtesy copy of this decision is being mailed to the address on the petition. However, the Office will mail all future correspondence solely to the address of record.

This file is being forwarded to the Files Repository.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3230.

A handwritten signature in black ink, reading "Shirene Willis Brantley". The signature is written in a cursive, flowing style.

Shirene Willis Brantley
Petitions Attorney
Office of Petitions

CC: WINSTON O. HUFF
NAVARRO HUFF, PLLC
302 N. MARKET STREET
SUITE 450
DALLAS TX 75202